

August 12, 2020

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Attention: International Bureau

Dear Ms. Dortch:

Globecast America, Incorporated (“Globecast”), pursuant to Section 25.120(a) of the Commission’s Rules, 47 C.F.R. § 25.120(a), hereby requests Special Temporary Authority (“STA”) to continue to operate expired C-band earth stations E7754 and E881143 (the “Stations”). The public interest will be served by grant of the STA.

In addition to requesting the STA, Globecast hereby discloses to the Commission that it was unaware until the last week that the licenses for the Stations had expired and that it has continued to operate the Stations since the expiration of their authorizations. It only became aware last week upon the release of the International Bureau’s *Public Notice, “International Bureau Releases List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States,”* DA 20-823, released August 3, 2020 (the “Final Incumbent List Notice”). Although the Stations were listed on the Bureau’s Preliminary Incumbent Earth Station List,¹ they were not on the Final Incumbent List Notice. While investigating why this was the case, Globecast discovered the error involving the renewal of the authorizations.

As noted, all of Globecast’s authorizations, including those for the Stations, had been previously listed on the Bureau’s Preliminary Incumbent Earth Station List and thus Globecast assumed the Stations’ authorizations to be in full force and effect. During the Commission’s ongoing C-band proceeding (Gen. Docket No. 18-122), Globecast had certified as active in May 2019 the Station’s facilities, along with all its other authorized facilities. Globecast participated in the C-band proceeding, including the filing of comments.² The Company has heretofore been diligent in its compliance with the rules, including carefully coordinating its satellite uplink authorizations as required by the Commission’s Rules. See 47 C.F.R. §25.277. Only when the Bureau released its updated list on August 3, 2020, after reviewing the Public Notice and trying to determine why the Stations were not listed in the Public Notice, did Globecast realize that it had overlooked filing the renewal applications and that the licenses for the Stations had expired on June 4, 2020 and that it had continued to provide service to its customers past that date.

¹ See *Public Notice, International Bureau Releases Preliminary List of Incumbent Earth Stations in the 3.7-4.2 GHz Band in the Contiguous United States*, DA 20-703, 2020 WL 3867168 (July 6, 2020) (Preliminary Incumbent Earth Station List Public Notice).

² See, e.g., *Expanding Flexible Use of the 3.7 to 4.2 GHz Band (Report and Order and Order of Proposed Modification)*, 35 FCC Rcd 2343, 2369, n. 56 (2020).

When Globecast realized what had happened, it engaged Comsearch and legal counsel to assist in preparation of the applications for the Stations. As set forth in the attached applications, the Stations' facilities remain frequency coordinated and protected. Globecast will file the applications for license for the Stations in the coming days to restore the Stations to licensed status.

Unknowingly, Globecast continued to provide satellite uplink service to its customers after June 4th. An STA will allow it to continue to provide service to the public without interruption while it seeks to have the Stations reauthorized. Requiring Globecast to turn off its facilities for the Station would cause substantial disruption of programming services for its clients. These are the kind extraordinary circumstances requiring temporary operations in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest. See generally *In re Superior Broadcasting Co.*, 44 FCC 2712 (1962). ("Extraordinary circumstances" when failure to issue such authority would result in at least temporary discontinuance of service would seriously prejudice public interest). An important consideration in evaluating an STA is minimizing disruption to an applicant's customers. *In re Open Range (Request for Special Temporary Authority)*, 25 FCC Rcd 13383 (¶ 1) (Int'l Bur. 2010). Moreover, heretofore Globecast has consistently met its regulatory requirements for these and other authorizations and has acted diligently in reporting and addressing the expiration of the Stations' authorizations. See generally *In the Matter of PST Digital LLC*, 30 FCC Rcd 30309, 30313 (¶ 14) (Wireless Tel. Bur. 2015).

The public interest will be served by a grant of the STAs. Accordingly, Globecast respectfully requests that the Commission grant the requested STAs for the Station.

If you have any questions concerning the technical portion of this application, please contact Globecast's consulting engineer, Gary Edwards at Comsearch. He can be reached at +1- 703 200-7136 or gedwards@comsearch.com). You can contact me at +1-202-871-3772 or stephen.diaz.gavin@rimonlaw.com.

Very truly yours,



Stephen Díaz Gavin
Counsel to Globecast America, Incorporated

Attachments